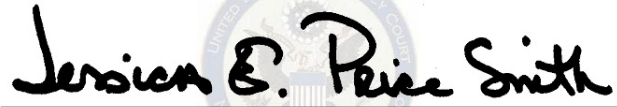


IT IS SO ORDERED.

Dated: 23 January, 2018 02:41 PM

A handwritten signature in black ink that reads "Jessica E. Price Smith". The signature is written in a cursive, flowing style. In the background, there is a faint circular seal of the United States Bankruptcy Court for the Northern District of Ohio.

JESSICA E. PRICE SMITH
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:

CHAPTER 7

MARK B. TOMCO

CASE NO. 17-16020

Debtor

JUDGE JESSICA E. PRICE SMITH

AGREED ORDER UPON
TRUSTEE'S MOTION FOR AUTHORITY TO SELL REAL PROPERTY
FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES
AND NOTICE OF OPPORTUNITY TO OBJECT
(3519 KNEIRIM DRIVE, LORAIN, OH 44053)

This matter came on for consideration by this Court upon Trustee's Motion for Authority to Sell Real Property Free and Clear of Liens, Claims and Encumbrances and Notice of Opportunity to Object (hereinafter the "Motion") and upon the stipulations of the Trustee, the Debtor and Nationstar Mortgage, LLC, dba Mr. Cooper, as primary lien claimant, by and through their respective counsel of record.

The Court finds that Trustee represents as follows:

The said parties hereby stipulate and agree and this Court therefore finds as follows:

1. That Trustee in his Motion seeks authority to sell the real estate titled to the Debtor, identified as having a street numbering address of **3519 Kneirim Drive, Lorain, OH 44053, bearing Permanent Parcel No. 02-02-012-103-030** and the legal description for which is described as follows:

Situated in the City of Lorain, County of Lorain and State of Ohio: and further known as being Sublot No. 25 in Kneirim Drive Homes Allotment of part of Original Black River Township Lot No. 12, Tract No. 2, as shown by the recorded plat in Volume 14 of Maps, Page 26 of Lorain County Records.

2. That the Debtor and all other parties in interest and legal representatives of said parties, where known, were served with Trustee's Motion, together with notice of hearing thereon and of opportunity to object thereto, and are properly before this Court.

3. That no parties in interest filed any Objection or Response to Trustee's Motion, other than Nationstar Mortgage, LLC. That Response does not constitute an Objection to Trustee's Motion, but instead merely asserts said mortgagee's right to receive payment in full upon its mortgage loan as the first lien against said property.

4. That Trustee does not dispute that Nationstar Mortgage, LLC, dba Mr. Cooper, is the holder of a recorded mortgage lien with the Lorain County Recorder on October 11, 2013 upon which \$35,290.47 plus interest at 4/625% from and after 3/13/17 is reportedly currently due and owing.

5. That Nationstar Mortgage, LLC consents to the sale of the real property by the Bankruptcy Estate pursuant to 11 U.S.C. §363 on the following terms and conditions: That the first mortgage lien of Nationstar Mortgage, LLC, dba Mr. Cooper, shall be paid in full or at an amount approved by it from the proceeds of sale.

IT IS THEREFORE ORDERED that Trustee's Motion for Authority to Sell Residential Real Property of the Debtor herein, is hereby granted and the Trustee is hereby authorized and directed to sell the above described real property, free and clear of all liens, claims and encumbrances, at private or public sale, upon such terms and conditions as are just and appropriate.

IT IS FURTHER ORDERED that real estate tax pro-rations, ordinary non bankruptcy costs and expenses of sale, and the real estate agent's commissions, consistent with the 1/9/2018 Order authorizing retention, shall be paid directly from escrow at time of closing of the sale.

IT IS FURTHER ORDERED that the mortgage lien of Nationstar Mortgage, LLC, dba Mr. Cooper, shall be paid in full out of escrow at time of closing at an amount approved by said creditor from the sale proceeds.

IT IS FURTHER ORDERED that lien claims or interests of any other creditors or parties in interest which may be asserted and recognized subsequently by this Court, if any, shall be and the same are hereby transferred to the funds derived from the sale and that the extent, validity and priority thereof shall be subsequently determined through these proceedings by this Court.

IT IS FURTHER ORDERED that to the extent necessary, Waldemar Wojcik, Trustee, is hereby authorized and empowered to sign any and all documents as may be necessary to effectuate the transfer of ownership of the aforementioned real property and business assets into the name(s) of the respective purchaser(s) thereof.

IT IS FURTHER ORDERED that in the event the Trustee has not sold the real property within five (5) months from the filing of this Agreed Order for the full amount due to, or an amount approved by, Nationstar Mortgage, LLC, dba Mr. Cooper, the automatic stay shall be lifted to permit Nationstar Mortgage, LLC, dba Mr. Cooper, to exercise all of its state court remedies as against the real estate, subject to the right of the Trustee to continue to market the property in an effort to obtain an acceptable offer prior to a foreclosure sale.

#

SUBMITTED AND APPROVED BY:

Waldemar Wojcik Co., L.P.A.

/s/ Waldemar J. Wojcik

WALDEMAR J. WOJCIK (0021824)

Attorney for Trustee

526 Superior Avenue, Suite 211

Cleveland, Ohio 44114

Phone: (216) 241-2628

Fax: (216) 373-2392

Shapiro, Van Ess, Phillips & Barragate, LLP

/s/ Chris E. Manolis

By: CHRIS E. MANOLIS (0076197)

Attorneys for Nationstar Mortgage LLC,

dba Mr. Cooper

4805 Montgomery Road, Suite 320

Norwood, OH 45212

Phone: (513) 396-8100

Fax: (847) 627-8805

CERTIFICATE OF SERVICE

A copy of the foregoing Agreed Order upon Trustee's Motion to Sell Real Property was served by the Clerk of the U.S. Bankruptcy Court via ordinary U.S. mail, postage prepaid and/or by ECF email upon those parties who receive notice through the Court's electronic noticing system, including upon each of the following:

Mark B. Tomco, Debtor
1606 Grafton Rd.
Elyria, OH 44035

Brian Machor
3519 Kneirim Dr.
Lorain, OH 44053

William J. Balena, Attorney for Debtor (via ECF email: docket@ohbksource.com)

Office of U.S. Trustee (via ECF email: Registered address @usdoj.gov)

Christopher E. Manolis, Attorney for Nationstar Mortgage LLC, dba Mr. Cooper
(via ECF email: cmanolis@logs.com)

Waldemar J. Wojcik, Trustee (via ECF email: wwojcik@wojciklpa.com)

Lorain County Treasurer, 226 Middle Ave., Elyria, OH 44035

Capio Partners LLC
2222 Texoma Pkwy. #150
Sherman, TX 75090-2481

Cascade Capital, LLC
1670 Corporate Circle, #202
Petaluma, CA 94954-6952

Chase Card
P.O. Box 15298
Wilmington, DE 19850-5298

Citi Bank
P.O. Box 6241
Sioux Falls, SD 57117-6241

Phoenix Financial Service
P.O. Box 361450
Indianapolis, IN 46236-1450

St Mary Emergency Group LLC
1125 Marguerite Street
Morgan City, LA 70380-1855

Teche Regional Medical Center
1125 Marguerite Street
Morgan City, LA 70380-1855